

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MOLDEX-METRIC, INC., Plaintiff, vs. 3M COMPANY and 3M INNOVATIVE PROPERTIES COMPANY, Defendants.	Civil No. 14-1821 (JNE/FLN)
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**DECLARATION OF CHAD DROWN IN SUPPORT OF 3M’S MOTION FOR
SUMMARY JUDGMENT AND/OR FOR JUDGMENT ON THE PLEADINGS**

I, Chad Drown, declare as follows:

1. I am an attorney at Faegre Baker Daniels LLP. I am one of the lawyers representing 3M Company and 3M Innovative Properties Company (“3M”) in connection with the above-captioned action. This declaration is made on my personal knowledge and belief. In the description of the exhibits, I refer to the prior patent case, *3M Co. v. Moldex-Metric*, Civil No. 12-611 (D. Minn.), as “the Patent Case.”

2. I have attached to this declaration a true and correct copy of the following documents:

EXHIBIT 1. U.S. Patent No. 6,070,693.

EXHIBIT 2. U.S. Patent No. 7,036,157.

EXHIBIT 3. U.S. Patent No. 5,936,208.

EXHIBIT 4. Prosecution History of U.S. Patent No. 5,936,208.

- EXHIBIT 5.** Prosecution History of U.S. Patent No. 6,070,693.
- EXHIBIT 6.** First Amended Complaint, January 22, 2016.
- EXHIBIT 7.** Complaint in Patent Case March 8, 2012.
- EXHIBIT 8.** Complaint in *Moldex-Metric v. 3M Co. et al.*, Civil No. 14-2921 (C.D. Cal.), Apr. 16, 2014.
- EXHIBIT 9.** 3M's Infringement Contentions in Patent Case Aug. 1, 2012 (excerpts).
- EXHIBIT 10.** Joint Claim Construction Statement in Patent Case, Nov. 1, 2012.
- EXHIBIT 11.** Moldex's Prior Art Statement in Patent Case, Sept. 14, 2012 (excerpts).
(Filed Under Seal.)
- EXHIBIT 12.** Scheduling Order, Docket 70, Apr. 6, 2015
- EXHIBIT 13.** First Amended Scheduling Order, Docket 128, Nov. 2, 2015.
- EXHIBIT 14.** Scheduling Order in Patent Case, June 14, 2012.
- EXHIBIT 15.** Moldex's Brief in Opposition to Summary Judgment in Patent Case, Mar. 1, 2013. *(Filed Under Seal.)* Patent Case Dkt. No. 48 (public version).
- EXHIBIT 16.** Moldex's Summary Judgment Reply Brief in Patent Case, Mar. 7, 2013. *(Filed Under Seal.)* Patent Case Dkt. No. 53 (public version).
- EXHIBIT 17.** Transcript of Motion to Dismiss Hearing, Oct. 30, 2014 (excerpts and highlighting added).
- EXHIBIT 18.** Letter from Eileen Hunter, Jan. 29, 2016.
- EXHIBIT 19.** 3M's First Set of Interrogatories, April 8, 2015.
- EXHIBIT 20.** Moldex's Responses to First Set of Interrogatories, May 11, 2015.

- EXHIBIT 21.** Moldex's Supplemental Responses to First Set of Interrogatories, June 22, 2015.
- EXHIBIT 22.** Moldex's Second Supplemental Responses to First Set of Interrogatories, Oct. 2, 2015.
- EXHIBIT 23.** Moldex's Supplemental Responses to Interrogatories No. 2 and No. 5, Jan. 27, 2016. (*Filed Under Seal.*)
- EXHIBIT 24.** Moldex Notice of Errata in Response to First Set of Interrogatories, Jan. 27, 2016.
- EXHIBIT 25.** 3M's First Set of Requests for Admission, Aug. 31, 2015.
- EXHIBIT 26.** Moldex's Responses to First Set of Requests for Admission, Sept. 30, 2015.
- EXHIBIT 27.** 3M's Responses to Third Set of Interrogatories, Oct. 30, 2015. (*Filed Under Seal.*)
- EXHIBIT 28.** 3M's First Set of Interrogatories in Patent Case, May 18, 2012.
- EXHIBIT 29.** Moldex's Responses to First Set of Interrogatories in Patent Case, June 18, 2012.
- EXHIBIT 30.** Moldex's Supplemental Responses to First Set of Interrogatories in Patent Case, Apr. 1, 2013.
- EXHIBIT 31.** Deposition of Dr. Kenneth Cunefare, Feb. 26, 2016 (excerpts and highlighting added).
- EXHIBIT 32.** Deposition of Jeffrey Birkner, Oct. 26, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)

- EXHIBIT 33.** Deposition of Daniel Dix, Mar. 27, 2013 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 34.** Deposition of Daniel Dix, Nov. 30, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 35.** Deposition of Terry Grimsley, Oct. 26, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 36.** Deposition of James Hornstein, Moldex 30(b)(6), Apr. 11, 2013 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 37.** Deposition of James Hornstein, Sept. 25, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 38.** Deposition of Frank Little, Dec. 1, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 39.** Deposition of Mark Magidson, Oct. 6, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 40.** Deposition of Bernard Mishkin, Mar. 26, 2013 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 41.** Deposition of Bernard Mishkin, Oct. 5, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 42.** Deposition of Michael Scholey, Mar. 25, 2013 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 43.** Deposition of Norman Smith, Dec. 1, 2015 (excerpts and highlighting added). (*Filed Under Seal.*)

- EXHIBIT 44.** Deposition of Stephen Young, Mar. 22, 2013 (excerpts and highlighting added). (*Filed Under Seal.*)
- EXHIBIT 45.** Moldex production document bearing production number MM00114858. (*Filed Under Seal.*)
- EXHIBIT 46.** Moldex production document bearing production number MM00009699. (*Filed Under Seal.*)
- EXHIBIT 47.** Moldex production document bearing production number MM00005599-5600. (*Filed Under Seal.*)
- EXHIBIT 48.** Moldex production document bearing production number MM00114905-06. (*Filed Under Seal.*)
- EXHIBIT 49.** Moldex production document bearing production number MM00001842. (*Filed Under Seal.*)
- EXHIBIT 50.** Moldex production document bearing production number MM00001791. (*Filed Under Seal.*)
- EXHIBIT 51.** Moldex production document bearing production number MM00000224. (*Filed Under Seal.*)
- EXHIBIT 52.** Moldex production document bearing production number MM00009644. (*Filed Under Seal.*)
- EXHIBIT 53.** Moldex production document bearing production number MM00009449. (*Filed Under Seal.*)
- EXHIBIT 54.** Moldex production document bearing production number MM00005315. (*Filed Under Seal.*)

EXHIBIT 55. Moldex production document bearing production number
MM00005311. (*Filed Under Seal.*)

EXHIBIT 56. Moldex production document bearing production number
MM00003185. (*Filed Under Seal.*)

EXHIBIT 57. Moldex production document bearing production number
MM00009366. (*Filed Under Seal.*)

EXHIBIT 58. Moldex production document bearing production number
MM00009356. (*Filed Under Seal.*)

EXHIBIT 59. Moldex production document bearing production number
MM00006442. (*Filed Under Seal.*)

EXHIBIT 60. Moldex production document bearing production number
MM00008653-54. (*Filed Under Seal.*)

EXHIBIT 61. Moldex production document bearing production number
MM00006433. (*Filed Under Seal.*)

EXHIBIT 62. Moldex production document bearing production number
MM00005285. (*Filed Under Seal.*)

EXHIBIT 63. Moldex production document bearing production number
MM00006294. (*Filed Under Seal.*)

EXHIBIT 64. Birkner Dep. Ex. 1095. (*Filed Under Seal.*)

EXHIBIT 65. Birkner Dep. Ex. 1098 (excerpts). (*Filed Under Seal.*)

EXHIBIT 66. U.S. Patent No. 5,113,967.

EXHIBIT 67. U.S. Patent No. 4,852,683.

EXHIBIT 68. U.S. Patent No. 2,990,907

EXHIBIT 69. U.S. Patent No. 6,233,853

EXHIBIT 70. French Patent Publication No. 2,676,642

EXHIBIT 71. Expert Report of Dr. Sigfrid Soli (excerpts and highlighting added).

(Filed Under Seal.)

EXHIBIT 72. Grimsley Dep. Ex. 1105.

EXHIBIT 73. Grimsley Dep. Ex. 1106.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: April 1, 2016

/s/ Chad Drown

Chad Drown

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